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REPORT OF THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES**

(covering its work during 1997)

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CHAPTER IX

EAST TIMOR, GIBRALTAR, NEW CALEDONIA AND WESTERN SAHARA

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* A/52/150 and Corr.1.

** The present document contains chapter IX of the Special Committee's report to the General Assembly. The general introductory chapter will be issued under the symbol A/52/23 (Part I). Other chapters of the report will be issued under the symbol A/52/23 (Parts II-IV, VI and VII). The complete report will be issued subsequently as Official Records of the General Assembly, Fifty-second Session, Supplement No. 23 (A/52/23).

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CHAPTER IX

EAST TIMOR, GIBRALTAR, NEW CALEDONIA AND WESTERN SAHARA

A. Introduction

1. At its 1466th meeting, on 16 January 1997, by adopting the suggestions relating to the organization of its work put forward by the Chairman (A/AC.109/L.1856), the Special Committee decided, inter alia, to take up the questions of East Timor, Gibraltar, New Caledonia and Western Sahara as separate items and to consider them in its plenary meetings.

2. The present chapter contains an account of the consideration by the Special Committee of the Territories (sect. B). It also sets forth the recommendation on the question of New Caledonia to the General Assembly at its fifty-second session (sect. C).

3. In its consideration of the questions, the Special Committee took into account General Assembly resolutions 51/146 and 51/147 of 13 December 1996 and decisions 51/402 of 20 September 1996 and 51/430 of 13 December 1996, as well as other relevant resolutions and decisions.

4. In its capacity as the administering Power concerned and in accordance with established procedures, the delegation of Portugal participated in the work of the Special Committee in relation to East Timor.

B. Consideration by and decisions of the Special Committee

1. East Timor

5. The Special Committee considered the question of East Timor at its 1474th to 1477th meetings, on 16 and 17 June 1997.

6. During its consideration of the question, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (A/AC.109/2079 and Add.1).

7. At its 1474th meeting, on 16 June, the Special Committee granted requests for hearing from the following petitioners and heard their statements at the meetings indicated below:

1474th meeting

Ms. Milena Pires, Timorese Democratic Union
Ms. Asabel Galhos, on behalf of East Timor Alert Network
Mr. Charles Scheiner, East Timor Action Network

1475th meeting

Ms. Lynn Fredriksson, on behalf of Seeds of Hope - East Timor Ploughshares Group
Mr. José Ramos-Horta, recipient, 1996 Nobel Peace Prize
Mr. Geoffrey C. Gunn, Free East Timor Japan Coalition
Mr. Constancio Pinto, National Council of Maubere Resistance
Ms. Elizabeth Sissons, on behalf of Hobart East Timor Committee
Ms. Jennifer Coon, on behalf of International Platform of Jurists for East Timor

Mr. Mari Alkatiri, Frente Revolucionaria da Timor-Leste Independente (FRETILIN)
Mr. Alyn Ware, on behalf of Auckland East Timor Independence Committee
Mr. Augusto Miclat, Jr., on behalf of Asia-Pacific Coalition for East Timor
Ms. Sidney Jones, Human Rights Watch/Asia
Mr. Abilio Araujo, Timor Foundation for Reconciliation and Development
Mr. Rogério Pereira, Timorese Youth for Reconciliation
Ms. Inocencia Ximenes Neves, Timorese Cultural Group
Mr. Antonio Maria Araujo, Movement of Support to the Intra-Timorese Dialogue
Ms. Maria Lourdes Soares, Timorese Cultural and Ethnic Research Centre

1476th meeting

Ms. Rebecca Kauffman, on behalf of Pax Christi International
Mr. Roger Clark, on behalf of International League for Human Rights
Mr. Azancot de Menezes, Associação Socialista de Timor
Mrs. Rodica Pintea-Austin, member, London University
Mr. Nuno Krus Abecasis, Member of Parliament/Social Democratic Centre/Popular Party, Portugal
Mr. Antonio Barbosa de Melo, Member of Parliament/Social Democratic Party, Portugal
Mr. Pedro Ricardo Cavaco Castanheira Jorge, Member of Parliament/Socialist Party, Portugal
Mr. Manuel Macedo, entrepreneur
Mr. Antonio Tavares, the SOS - Associação de defesa dos Angolanos
Mr. Carlos Galvao de Melo, retired general (Portuguese Air Force)
Mr. Octavio Osorio Soares
Ms. Natercia Osorio Soares
Mr. Florentino Sarmiento
Mr. Simão de Assuncão

1477th meeting

Mr. Domingo M. Policarpio dos Reis
Mr. Kerry Brogan, on behalf of Amnesty International
Mr. Marco Perduca, Transnational Radical Party
Mr. John Miller, on behalf of Supporting Movement for Democratization in Indonesia
Mr. Frank Fitzgerald, on behalf of Korea-East Timor Solidarity, Lawyers for a Democratic Society and Korea Human Rights Network
Ms. Kristin Sundell, on behalf of British Coalition for East Timor
Mr. Ruben Luis Tristao de Caravalho e Silva, Member of Parliament/Communist Party, Portugal
Mr. Liberato C. Bautista, on behalf of Asia Pacific Center for Justice and Peace

8. At the 1474th meeting, on 16 June 1997, the Chairman informed the Special Committee that the delegation of Sao Tome and Principe had expressed the wish to participate in the Special Committee's consideration of the item. The Special Committee decided to accede to the request.

9. At the same meeting, statements were made by the representatives of Indonesia, Portugal and Sao Tome and Principe (on behalf also of Angola, Cape Verde, Guinea-Bissau and Mozambique) (see A/AC.109/SR.1474). The representative of Indonesia made a further statement on a point of order (see A/AC.109/SR.1474).

10. At the 1475th to 1477th meetings, on 16 and 17 June, the representative of Indonesia made several interventions on a point of order (see A/AC.109/SR.1475-1477).

11. At the 1477th meeting, on 17 June, the representative of Portugal made a statement in the exercise of the right of reply (see A/AC.109/SR.1477).

12. In a letter dated 17 June 1997 addressed to the Chairman of the Special Committee, the Permanent Representative of Guinea-Bissau to the United Nations informed the Special Committee that his Government did not share certain views expressed by the representative of Sao Tome and Principe in his statement (see para. 9 above).

13. In a letter dated 19 June 1997 addressed to the Chairman of the Special Committee, the Permanent Representative of Sao Tome and Principe to the United Nations pointed out that his statement had been made as a result of a collective ministerial decision of the five Portuguese-speaking States; however, Guinea-Bissau, as a sovereign State, had the right to disengage itself from that decision.

Decision of the Special Committee

14. At its 1477th meeting, on 17 June, on the proposal of the Chairman, the Special Committee decided to continue consideration of the question at its next session, subject to any directives that the General Assembly might give in that connection at its fifty-second session, it being understood that the reservations expressed would be reflected in the record of the meeting.

2. Gibraltar

15. The Special Committee considered the question of Gibraltar at its 1470th meeting, on 6 June 1997.

16. During its consideration of the question, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (see A/AC.109/2084).

17. At the 1470th meeting, the Chairman informed the Special Committee that the delegation of Spain had expressed the wish to participate in the Special Committee's consideration of the question. The Special Committee decided to accede to the request.

18. At the same meeting, with the consent of the Special Committee, Mr. Peter Caruana, Chief Minister of Gibraltar, made a statement (see A/AC.109/SR.1470). The representative of Spain made a statement (see A/AC.109/SR.1470).

Decision of the Special Committee

19. At its 1470th meeting, on 6 June 1997, the Special Committee decided, without objection, to continue its consideration of the question at its next session, subject to any directives that the General Assembly might give in that connection at its fifty-second session and, in order to facilitate consideration of the question by the Special Political and Decolonization Committee (Fourth Committee), to transmit the relevant documentation to the Assembly.

3. New Caledonia

20. The Special Committee considered the question of New Caledonia at its 1470th meeting, on 6 June 1997.

21. During its consideration of the question, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (A/AC.109/2074).

22. At its 1470th meeting, the Chairman drew attention to a draft resolution on the question submitted by Fiji and Papua New Guinea (A/AC.109/L.1861). The Committee decided to waive the 24-hour rule under rule 78 of the rules of procedure of the General Assembly and consider the draft.

23. At the same meeting, the representatives of Fiji and Papua New Guinea introduced draft resolution A/AC.109/L.1861 (see A/AC.109/SR.1470).

24. At the same meeting, following statements by the representatives of Mali and the Islamic Republic of Iran, in the course of which they proposed replacing the word "provincial" with the word "territorial" in operative paragraph 7 of the draft resolution (see A/A.C.109/SR.1470), the Special Committee adopted draft resolution A/AC.109/L.1861, as orally revised, without a vote (A/AC.109/2093).

25. On 30 June, the text of the resolution (A/AC.109/2093) was transmitted to the Permanent Representative of France to the United Nations for the attention of his Government.

Decision of the Special Committee

26. The text of the resolution (A/AC.109/2093) adopted by the Special Committee at its 1470th meeting, on 6 June 1997 (see para. 24), appears in section C in the form of a recommendation of the Special Committee to the General Assembly.

4. Western Sahara

27. The Special Committee considered the question of Western Sahara at its 1470th meeting, on 6 June 1997.

28. During its consideration of the question, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (A/AC.109/2087).

29. At its 1470th meeting, on 6 June, the Special Committee granted a request for hearing to Mr. Boukhari Ahmed of the Frente Popular para la Liberación de Saguia el-Hamra y de Rió de Oro (Frente POLISARIO), Mr. Ahmed made a statement at the same meeting (see A/AC.109/SR.1470).

Decision of the Special Committee

30. At its 1470th meeting, on 6 June 1997, on the proposal of the Chairman, the Special Committee decided, without objection, subject to any directives that the General Assembly might give in that connection at its fifty-second session and, in order to facilitate consideration of the question by the Special Political and Decolonization Committee (Fourth Committee), to transmit the relevant documentation to the Assembly.

C. Recommendation of the Special Committee

31. In accordance with decisions taken at its 1466th and 1470th meetings, on 16 January and 6 June 1997, respectively, the Special Committee recommends to the General Assembly the adoption of the following draft resolution:

Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to New Caledonia,[1]

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling its resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including measures in the area of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

Welcoming the strengthening of the process of review of the Matignon Accords[2] through the increased frequency of coordination meetings,

Noting with satisfaction the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region,

1. Urges all the parties involved, in the interest of all the people of New Caledonia and building on the positive outcome of the mid-term review of the Matignon Accords, to maintain their dialogue in a spirit of harmony;

2. Invites all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all New Caledonians according to the letter and the spirit of the Matignon Accords, which are based on the principle that it is for the populations of New Caledonia to choose how to control their destiny;

3. Welcomes measures that have been taken to strengthen and diversify the New Caledonian economy in all fields, and encourages further such measures in accordance with the spirit of the Matignon Accords;

4. Also welcomes the importance attached by the parties to the Matignon Accords to greater progress in housing, employment, training, education and health care in New Caledonia;

5. Acknowledges the contribution of the Melanesian Cultural Centre to the protection of the indigenous culture of New Caledonia;

6. Notes the positive initiatives aimed at protecting New Caledonia's natural environment, notably the "Zonéco" operation designed to map and evaluate marine resources within the economic zone of New Caledonia;

7. Acknowledges the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French and territorial authorities to facilitate the further development of those links, including the development of closer relations with the member countries of the South Pacific Forum;

8. Welcomes, in particular, in this regard, continuing high-level visits to New Caledonia by delegations from countries of the Pacific region and high-level visits by delegations from New Caledonia to member countries of the South Pacific Forum;

9. Requests the Special Committee on the situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue the examination of this question at its next session and to report thereon to the General Assembly at its fifty-third session.

Notes

[1] The present chapter.

[2] See A/AC.109/1000, paras. 9-14.